Docket No.: 043888-0456 PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Customer Number: 53080

Confirmation Number: 3392 Takashi TAKEUCHI, et al.

Group Art Unit: 1795 Application No.: 10/572,590

Filed: March 20, 2006 Examiner: RINER PHEOBE D.

NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY For:

## RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Noting the Office Action of August 12, 2008 wherein restriction has been required, Applicant hereby elects Species I-1 (claims 1-15) for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty

Registration No. 36,139

Please recognize our Customer No. 53080

as our correspondence address.

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Facsimile: 202.756.8087 Date: September 3, 2008